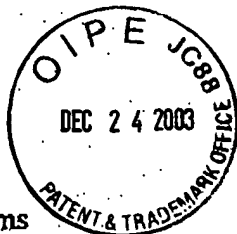




UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Paper No. 20

Dr. Lynn Spraggs  
Ultra Information Systems  
8604 Kalavista Dr.  
Vernon, BC V1B 1K3  
CANADA

COPY MAILED

SEP 26 2003

OFFICE OF PETITIONS

ON PETITION

In re Application of  
Spraggs  
Application No. 09/554,419  
Filed: May 11, 2000  
Attorney Docket No. PA1065US  
For: SYSTEM AND METHOD OF SENDING  
AND RECEIVING SECURE DATA WITH A  
SHARED KEY

This is a decision on the reconsideration petition under 37 CFR 1.137(b), filed September 3, 2003 via facsimile, to revive the above-identified application.

The petition under 37 CFR 1.137(b) is **DISMISSED**.

Any further petition to revive the above-identified application must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Petition under 37 CFR 1.137(b)." This is not final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to properly reply to the final Office action, mailed July 3, 2002. Petitioner filed an amendment after final on October 21, 2002 (certificate of mailing date September 27, 2002). The amendment after final failed to place the above-identified application in *prima facie* condition for allowance, as was stated in the October 30, 2002 Advisory Action. This application became abandoned on October 4, 2002. On November 7, 2002, the Office granted a request by the attorneys of record to withdraw from representation. On January 21, 2003, a Notice of Abandonment was mailed. Applicant's petition to revive under 37 CFR 1.137(a), filed April 8, 2003, was dismissed on May 19, 2003 for failure to submit a proper reply and failure to show that the entire delay in responding to the July 3, 2002 final Office action was unavoidable. Applicant's petition under 37 CFR 1.137(b), filed June 30, 2003, was dismissed on July 8, 2003 for failure to submit a proper reply and failure to submit the full petition fee.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c). This petition lacks items (1) and (2).

Regarding (1) above, petitioner still has not filed a proper reply. The amendment after final, filed September 3, 2003, did not eliminate all of the Examiner's objections and rejections. It did not place the case in *prima facie* condition for allowance. In any reconsideration petition, petitioner must submit one of the following: (1) a Notice of Appeal, (2) a continuing application, or (3) an RCE and submission.

Application No. 09/554,419

Page 2

Regarding (2) above, petitioner's latest credit card authorization is not acceptable. In the Payment Amount field, petitioner wrote "\$ 0." Thus, petitioner has not paid the \$10 balance owed. Petitioner must submit another credit card authorization form authorizing the Office to charge \$10 to her credit card.

RECEIVED

DEC 30 2003

Further correspondence with respect to this matter should be addressed as follows:

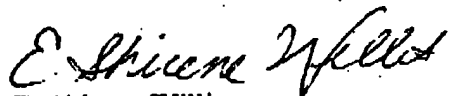
OFFICE OF PETITIONS

By mail: Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By facsimile: (703) 308-6916  
Attn: Office of Petitions

By hand: Office of Petitions  
2201 South Clark Place  
Crystal Plaza 4, Suite 3C23  
Arlington, VA 22202

Telephone inquiries pertaining to this matter may be directed to the undersigned at (703) 308-6712.

  
E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions

September 3, 2003

Attention: E. Shirene Willis  
Senior Petitions Attorney

Application Number: 09/554,429  
Application Filed: May 11, 2000  
For: SYSTEM AND METHOD OF SENDING AND  
RECEIVING SECURE DATA WITH A  
SHARED KEY

RECEIVED

DEC 30 2003

OFFICE OF PETITIONS

Application for revival due to unintentional delay

Please accept this letter as my request to have the above patent application reinstated. I have tried very hard to comply exactly with what has been asked of me and I hope, no, I pray, that I have done it right this time. This patent is very important to me and I have tried my best to meet the strict requirements that you adhere to.

If there are any problems, please contact me at your convenience so I can get this application back on track.

Thanking you in advance for any help you can give me on this petition.

Sincerely,



Lynn Spraggs,